

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** Chair Kerry White, on March 24, 2017 at 3:00 PM, in Room 172 Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Kerry White, Chair (R)  
Rep. Zach Brown, Vice Chair (D)  
Rep. Theresa Manzella, Vice Chair (R)  
Rep. Kim Abbott (D)  
Rep. Bob Brown (R)  
Rep. Willis Curdy (D)  
Rep. Ross H. Fitzgerald (R)  
Rep. John Fleming (D)  
Rep. Kelly Flynn (R)  
Rep. Wylie Galt (R)  
Rep. Dale Mortensen (R)  
Rep. Mark Noland (R)  
Rep. Jonathan Windy Boy (D)

**Members Excused:** Rep. Virginia Court (D)  
Rep. Steve Gunderson (R)

**Members Absent:** None

**Staff Present:** Lexi Goble, Committee Secretary  
Joe Kolman, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 622, 3/22/2017; HB 629, 3/22/2017; HB 644, 3/22/2017; HB 646, 3/22/2017; HB 651, 3/22/2017

Executive Action: HB 651, HB 622, HB 644, HB 629, HB 646

**HEARING ON HB 651**

**Opening Statement by Sponsor:**

00:02:07 Rep. Matt Regier (R), HD 4, opened the hearing on HB 651, Revise laws related to public access projects.

**EXHIBIT(nah61a01)**

**Proponents' Testimony:** None

**Opponents' Testimony:**

00:07:16 Rep. Z. Brown

00:07:35 Rep. Court joined the meeting

00:08:35 Chris Marchion, Anaconda Sportsman's Club

00:10:52 Steve Platt, Helena Hunters and Anglers (HHA)

00:11:47 Richard Hutton, Self

00:12:55 Seth Morris, Self

00:13:48 Shawn Thomas, Department of Natural Resources and Conservation (DNRC)

00:16:45 Dj Berg, Montana Wild Sheep Foundation (MWSF); Wild Sheep Foundation (WSF)

00:17:57 Mark Lambrecht, Rocky Mountain Elk Foundation (RMEF)

00:19:23 Jerry Davis, Montana Bowhunters Association (MBA)

**EXHIBIT(nah61a02)**

00:21:44 Amy Seaman, Montana Audubon

**EXHIBIT(nah61a03)**

00:24:47 Jeff Lukas, Backcountry, Montana Hunters and Anglers (MT BHA)

00:26:30 Rod Bullis, Helena Hunters and Anglers (HHA)

00:27:54 Brian Ohs, Montana Trout Unlimited (MTU)

00:28:16 Michael Korn, Self

00:29:51 Ron Aasheim, Fish Wildlife and Parks (FWP)

**EXHIBIT(nah61a04)**

00:32:27 Nick Gevock, Montana Wildlife Federation (MWF); Mule Deer Foundation (MDF); Nature Conservancy Montana (NCM)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:34:00 Rep. B. Brown

00:34:30 Rep. Regier

00:34:47 Rep. Z. Brown

00:35:31 Mark Lambrecht, RMEF

00:35:44 Rep. Flynn

00:36:03 Rep. Regier

00:36:27 Rep. Flynn

00:36:58 Ron Aasheim, FWP

00:37:27 Rep. Curdy

00:37:44 Rep. Regier

00:37:55 Chair White  
 00:38:15 Ron Aasheim, FWP  
 00:38:31 Chair White  
 00:39:18 Shawn Thomas, DNRC  
 00:42:47 Chair White  
 00:43:15 Rep. Z. Brown  
 00:43:52 Rep. Regier  
 00:44:54 Rep. Curdy  
 00:45:23 Shawn Thomas, DNRC  
 00:46:36 Rep. Flynn  
 00:47:42 Shawn Thomas, DNRC  
 00:48:34 Rep. Fleming  
 00:48:49 Nick Gevock, MWF; MDF; NCM

**Closing by Sponsor:**

00:50:26 Rep. Regier

**HEARING ON HB 629**

**Opening Statement by Sponsor:**

00:53:25 Rep. Theresa Manzella (R), HD 85, opened the hearing on HB 629, Limiting state powers related to water.

**Proponents' Testimony:**

01:00:38 Catherine Vandemoer, Montana Land and Water Alliance (MLWA)  
 01:04:28 Christopher Chavasse, Self

**Opponents' Testimony:**

01:06:45 Abigail St. Lawrence, Montana Association of Realtors (MAR); Rocky Mountain Stockgrowers Association (RMSGa)  
 01:09:13 Krista Lee Evans, Senior Water Right Coalition (SWRC); Association of Gallatin Agricultural Irrigators (AGAI); Dry Prairie Rural Water (DPRW); (Montana Farm Bureau Federation (MFBF)  
 01:11:04 Tim Burton, Montana League of Cities and Towns (MLCT)  
 01:13:09 Bill Schenk, Fish Wildlife and Parks (FWP)

**EXHIBIT(nah61a05)**

01:15:31 Caroline Lankford, Confederated Salish and Kootenai Tribes (CSFT)  
 01:17:55 Paul Azevedo, Department of Natural Resources and Conservation (DNRC)  
 01:20:16 Ryan Rusche, Confederated Salish and Kootenai Tribes (CSFT)  
 01:21:50 Rep. Webber  
 01:23:07 Rep. Morigeau  
 01:24:54 Rep. Smith  
 01:25:07 Brian Ohs, Montana Trout Unlimited (MTU)  
 01:26:19 Rep. Peppers  
 01:27:14 Rep. Kipp III  
 01:29:04 Sen. Whitford  
 01:31:30 Rep. Stewart-Peregoy

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:33:27 Rep. Windy Boy  
 01:37:08 Ryan Rusche, CSFT  
 01:37:26 Rep. B. Brown  
 01:41:31 Catherine Vandemoer, MLWA  
 01:41:50 Rep. Flynn  
 01:42:33 Rep. Manzella  
 01:43:07 Rep. Windy Boy  
 01:43:43 Krista Lee Evans, SWRC; AGAI;DPRW; MFBF  
 01:44:45 Chair White  
 01:48:32 Ryan Rusche, CSFT

**Closing by Sponsor:**

01:49:32 Rep. Manzella  
  
 01:51:07 Recess  
 02:07:43 Reconvened

**HEARING ON HB 644**

**Opening Statement by Sponsor:**

02:08:02 Rep. Willis Curdy (D), HD 98, opened the hearing on HB 644, Restricting unmanned aerial vehicle operation as a result of wildland fire.

**Proponents' Testimony:**

02:12:35 Bob Harrington, Department of Natural Resources (DNRC)

**Opponents' Testimony:** None

**Informational Testimony:**

02:14:28 Tal Williams, Department of Natural Resources and Conservation (DNRC)

**Questions from Committee Members and Responses:**

02:14:55 Rep. Galt  
 02:15:57 Rep. Curdy  
 02:16:27 Chair White  
 02:19:02 Bob Harrington, DNRC  
 02:19:38 Rep. Curdy  
 02:20:40 Chair White  
 02:20:46 Joe Kolman, Legislative Services Division (LSD)  
 02:21:43 Chair White  
 02:22:11 Rep. Curdy  
 02:24:15 Chair White  
 02:26:03 Rep. Manzella  
 02:27:36 Rep. Curdy  
 02:28:41 Rep. B. Brown  
 02:30:22 Rep. Curdy

**Closing by Sponsor:**

02:30:44 Rep. Curdy

**HEARING ON HB 622**

**Opening Statement by Sponsor:**

02:33:21 Rep. Mike Cuffe (R), HD 2, opened the hearing on HB 622, Generally revise laws related to invasive species.

[EXHIBIT\(nah61a06\)](#)

[EXHIBIT\(nah61a07\)](#)

[EXHIBIT\(nah61a08\)](#)

[EXHIBIT\(nah61a09\)](#)

**Proponents' Testimony:**

02:54:53 Mike Volesky, Fish Wildlife and Parks (FWP)

[EXHIBIT\(nah61a10\)](#)

02:59:03 Bryce Christiaens, Missoula County Extension and Weed District  
 03:00:15 Ray Beck, Department of Natural Resources and Conservation (DNRC)  
 03:01:09 Steve Rosso, Flathead Lakers  
 03:01:47 Mark Aagenes, Natures Conservancy  
 03:02:35 Bryan Ohs, Montana Trout Unlimited (MTU)  
 03:03:09 Rep. Smith  
 03:03:25 Thompson Smith, Flathead Basin Commission  
 03:04:19 Rep. Webber  
 03:05:57 Shantil Siaperas, Montana Association of Counties (MACo)  
 03:06:24 Jordan Thompson, Confederation of Salish and Kootenai Tribes (CSKT)  
 03:06:42 Rep. Peppers  
 03:06:53 Rep. Stewart-Peregoy  
 03:07:18 Elena Evans, Montana Association of Conservation Districts (MACD)  
 03:07:59 Krista Lee Evans, Association of Gallatin Agricultural Irrigators (AGAI); Senior Water Rights Coalition (SWRC)

**Opponents' Testimony:** None

**Informational Testimony:**

03:09:53 Neal Ulman, Montana Conservation Voters (MCV)

**Questions from Committee Members and Responses:**

03:16:52 Rep. Z. Brown  
 03:18:15 Rep. Cuffe  
 03:18:44 Rep. Flynn  
 03:20:02 Rep. Cuffe  
 03:21:10 Rep. Flynn  
 03:21:16 Mike Volesky, FWP  
 03:22:13 Rep. Flynn  
 03:23:08 Rep. Cuffe  
 03:23:28 Chair White  
 03:24:37 Rep. Cuffe  
 03:27:33 Chair White  
 03:27:35 Joe Kolman, Legislative Services Division (LSD)  
 03:28:30 Rep. Flynn  
 03:29:00 Rep. Cuffe

03:30:33 Rep. Curdy  
 03:31:16 Rep. Cuffe  
 03:32:11 Rep. Flynn  
 03:33:37 Rep. Cuffe  
 03:35:58 Rep. Court  
 03:36:20 Rep. Cuffe  
 03:36:40 Rep. Court  
 03:36:50 Chair White  
 03:37:59 Mike Volesky, FWP  
 03:38:17 Aimee Hawkaluk, Fish Wildlife and Park (FWP)  
 03:38:58 Chair White  
 03:39:20 Aimee Hawkaluk, FWP  
 03:40:27 Chair White  
 03:41:51 Mike Volesky, FWP  
 03:43:14 Chair White  
 03:44:07 Aimee Hawkaluk, FWP  
 03:45:16 Rep. Flynn  
 03:47:35 Mike Volesky, FWP  
 03:49:05 Rep. Flynn  
 03:49:20 Mike Volesky, FWP

**Closing by Sponsor:**

03:50:58 Rep. Cuffe  
  
 03:57:26 Recess  
 04:20:25 Reconvene  
  
 03:58:00 Rep. Windy Boy and Rep. Fleming left the meeting

**HEARING ON HB 646**

**Opening Statement by Sponsor:**

04:20:57 Rep. Mark Noland (R), HD 10, opened the hearing on HB 646, Generally revise laws on aquatic invasive species.

**Proponents' Testimony:**

04:27:05 Shelly Fyant, Confederation of Salish and Kootenai Tribes (CSKT)  
 04:30:25 Thompson Smith, Flathead Basin Commission

**EXHIBIT(nah61a11)**

04:34:47 Jordan Thompson, Confederation of Salish and Kootenai Tribes (CSKT)  
 04:38:22 Steve Rosso, Flathead Lakers  
 04:41:26 Gregg McCormick, Flathead Lakers

**EXHIBIT(nah61a12)**

04:44:59 Erik Hanson, Self

**Opponents' Testimony:**

04:47:33 Mike Volesky, Fish Wildlife and Parks (FWP)  
04:50:45 Ray Beck, Department of Natural Resources and Conservation (DNRC)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

04:52:45 Chair White  
04:55:05 Mike Volesky, FWP  
04:59:44 Rep. Flynn  
05:00:30 Mike Volesky, FWP  
05:02:17 Rep. Flynn  
05:03:46 Thompson Smith, Flathead Basin Commission  
05:05:24 Rep. Flynn  
05:06:04 Rep. Noland  
05:07:38 Rep. Z. Brown  
05:08:21 Steve Rosso, Flathead Lakers  
05:10:54 Rep. Curdy  
05:12:21 Steve Rosso, Flathead Lakers  
05:12:39 Rep. Noland  
05:13:32 Rep. Curdy  
05:14:00 Rep. Noland  
05:14:28 Chair White  
05:15:31 Rep. Noland  
05:16:25 Chair White  
05:17:10 Erik Hanson, Self  
05:17:42 Chair White  
05:17:43 Rep. Noland  
05:19:43 Rep. Flynn  
05:20:56 Erik Hanson, Self  
05:22:27 Chair White  
05:22:30 Rep. Manzella  
05:23:04 Erik Hanson, Self

**Closing by Sponsor:**

05:23:50 Rep. Noland

**EXECUTIVE ACTION ON HB 597**

05:27:20 **Motion:** Rep. Manzella moved that **HB 597 DO PASS.**

**Discussion:**

05:27:30 Joe Kolman, Legislative Services Division (LSD)

05:28:12 **Motion:** Rep. Manzella moved that **HB 597 BE AMENDED.**

**EXHIBIT**(nah61a13)

**Discussion:**

05:28:22 Joe Kolman, LSD  
05:29:31 Chair White  
05:29:34 Joe Kolman, LSD

05:29:51 Chair White  
05:30:02 Rep. Z. Brown  
05:31:01 Chair White

05:31:37 **Vote:** Motion carried unanimously by voice vote. Rep. Fleming, Rep. Gunderson and Rep. Windy Boy voted by proxy.

05:32:10 **Motion:** Rep. Manzella moved that **HB 597 DO PASS AS AMENDED.**

**Discussion:**

05:32:22 Rep. Flynn

05:32:38 **Vote:** Motion carried unanimously by voice vote. Rep. Fleming, Rep. Gunderson and Rep. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON HB 644**

05:33:15 **Motion:** Rep. Curdy moved that **HB 644 DO PASS.**

**Discussion:**

05:33:39 Rep. Curdy  
05:35:38 Rep. Manzella  
05:36:08 Rep. Curdy  
05:37:35 Rep. Flynn  
05:38:43 Rep. Curdy  
05:39:04 Rep. Mortensen  
05:39:44 Chair White

05:40:40 **Vote:** Motion carried 9-6 by roll call vote with Rep. Fitzgerald, Rep. Flynn, Rep. Gunderson, Rep. Manzella, Rep. Noland and Rep. White voting no. Rep. Fleming, Rep. Gunderson and Rep. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON HB 651**

05:42:06 **Motion:** Rep. Manzella moved that **HB 651 DO PASS.**

**Discussion:**

05:42:20 Rep. Flynn  
05:43:03 Rep. Galt  
05:43:49 Rep. B. Brown  
05:44:20 Chair White  
05:47:16 Rep. Z. Brown  
05:48:39 Rep. Flynn  
05:51:17 Chair White

05:52:50 **Vote:** Motion carried 8-7 by roll call vote with Rep. Abbott, Rep. Z. Brown, Rep. Court, Rep. Curdy, Rep. Fleming, Rep. Flynn and Rep. Windy Boy voting no. Rep. Fleming, Rep. Gunderson and Rep. Windy Boy voted by proxy.



**EXECUTIVE ACTION ON HB 622**

05:54:13 **Motion/Vote:** Rep. Manzella moved that **HB 622 DO PASS**. Motion carried unanimously by voice vote. Rep. Fleming, Rep. Gunderson and Rep. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON HB 646**

05:54:59 **Motion:** Rep. Noland moved that **HB 646 DO PASS**.

**Discussion:**

05:55:14 Rep. Fitzgerald  
05:55:31 Joe Kolman, LSD  
05:56:57 Rep. B. Brown  
05:57:35 Rep. Noland  
05:58:49 Rep. Z. Brown  
06:00:35 Rep. Curdy  
06:01:52 Chair White  
06:04:04 Rep. Abbott

06:04:51 **Vote:** Motion carried 11-4 by roll call vote with Rep. Abbott, Rep. B. Brown, Rep. Z. Brown and Rep. Flynn voting no. Rep. Fleming, Rep. Gunderson and Rep. Windy Boy voted by proxy.

**Committee Business:**

06:07:08 Chair White  
06:10:19 Rep. Flynn  
06:10:47 Rep. Court  
06:12:31 Rep. Flynn  
06:13:27 Rep. Mortensen  
06:13:31 Joe Kolman, LSD

**EXECUTIVE ACTION ON HB 651**

06:14:13 **Motion:** Rep. Flynn moved to **RECONSIDER ACTION** on **HB 651**.

**Discussion:**

06:15:12 Joe Kolman, LSD  
06:15:40 Chair White  
06:15:58 Rep. Z. Brown  
06:16:16 Joe Kolman, LSD  
06:16:34 Chair White

06:18:04 **Vote:** Motion carried 8-7 by roll call vote with Rep. B. Brown, Rep. Galt, Rep. Gunderson, Rep. Manzella, Rep. Mortensen, Rep. Noland and Rep. White voting no. Rep. Fleming, Rep. Gunderson and Rep. Windy Boy voted by proxy.

**ADJOURNMENT**

Adjournment:  
06:18:32

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Lexi Goble, Secretary

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Additional Documents:

**EXHIBIT**([nah61aad.pdf](#))